

REMARKS

Applicant has carefully reviewed the Office Action mailed January 11, 2007 and offers the following remarks to accompany the above amendments. Claims 1, 15, 18, and 27 have been amended. Claims 2, 3, 5, 28, 29, and 31 have been cancelled. Claims 4, 6, 22-26, 30, and 32 have been amended to correct their dependencies and to correct typographical errors. New claims 34-37 have been added. No new matter has been added and no new search is required.

Claims 1-33 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,430,176 B1 to Christie, IV (hereinafter "Christie"). Applicant respectfully traverses. For a reference to be anticipatory, the reference must disclose each and every claim element. Further, the elements of the reference must be arranged as claimed. MPEP § 2131. The requirement that each and every element be disclosed in the manner claimed is a rigorous standard that the Patent Office has not met in this case.

Before addressing the rejection, Applicant provides a brief overview of the present invention. The present invention provides a way to associate multimedia clients with telephony devices and create multimedia sessions related to a voice connection between the telephony devices. The telephony devices may be part of a public network or an enterprise network associated with a PBX. Further, calls can be routed in part over packet-switched and circuit-switched networks. Initially, a telephony switch will detect the telephone going off hook and sending digits to originate a call. The telephony switch will initially determine whether the caller has multimedia capabilities in addition to the ability to facilitate a voice call. The telephony switch will include or have access to a database, which will preferably include information sufficient to identify whether the telephone of the called party is associated with a multimedia client, and if so, provide addressing and port information for facilitating a media session with the multimedia client.

If the caller is not associated with a multimedia client having multimedia capabilities, the telephony switch will initiate normal call processing and routing of the voice call via the PSTN in traditional fashion. If the caller is associated with a multimedia client providing multimedia capabilities, the telephony switch will determine if the called party is not serviced by the associated service node and is thus outside of the service node's zone. In one embodiment of the present invention, if the caller has multimedia capabilities and the called party is outside of the service node zone, the telephony switch will use a SIP call server for call processing to route the

voice call via the packet network. If the called party is within the service node zone, the telephony switch will access another database, such as that provided by a local number portability (LNP) server, to determine if the called party is associated with multimedia capabilities. Preferably, the LNP server provides a database that has been modified to not only provide LNP information but also to provide information bearing on the multimedia capabilities of the called party. In one embodiment, the LNP server is capable of identifying whether or not the called party is supported by SIP, which is highly indicative of multimedia capability. The LNP server may indicate that the called number has been ported to a SIP-capable device.

As such, in one embodiment of the present invention, the telephony switch can determine whether the called party has multimedia capabilities by seeing if the called party is supported by SIP. If the called party is supported by SIP, the telephony switch will initiate call processing via the SIP call server, which will facilitate routing of the call via the packet network and the trunk gateways. If the called party is not supported by SIP, the telephony switch will initiate call processing and routing via the PSTN in traditional fashion.

Claim 1 is used as an example. Claim 1 as amended recites:

A method for associating multimedia clients with telephony devices comprising:

- a) receiving from a first telephony device having a first telephone number a second telephone number associated with a second telephony device to initiate a voice call from the first telephony device to the second telephony device;
- b) determining if the first telephony device is associated with a first multimedia client;
- c) obtaining a first address associated with the first multimedia client from a first service node based on the first telephone number;
- d) determining if the second telephony device is supported by the first service node;
- e) if the second telephony device is not supported by the first service node, routing call signaling for the voice call to a first call server, which controls a trunk gateway interfacing with a packet network; and
- f) establishing a voice connection for the voice call to the trunk gateway.

Christie does not teach claim 1 as amended. Christie does disclose telecommunications infrastructures that use PSTN call management and a public data network to establish simultaneous voice and data (multimedia) communications (Christie, col. 1, lines 7-11). In

particular, Christie discloses a method by which a telecommunications infrastructure uses a single directory number to call another telecommunications infrastructure located on a different communications network to establish multimedia communications (Christie, col. 1, lines 11-16). However, Christie uses a different technique to establish the multimedia session than the technique employed by the present invention.

In the present invention, if the caller is associated with a multimedia client providing multimedia capabilities, the telephony switch will determine if the called party is not serviced by the associated service node and is thus outside of the service node's zone. In one embodiment of the present invention, if the caller has multimedia capabilities and the called party is outside of the service node zone, the telephony switch will use a SIP call server for call processing to route the voice call via the packet network. If the called party is within the service node zone, the telephony switch will access another database, such as that provided by the LNP server, to determine if the called party is associated with multimedia capabilities. In one embodiment, the LNP server is capable of identifying whether or not the called party is supported by SIP, which is highly indicative of multimedia capability. The LNP server may indicate that the called number has been ported to a SIP-capable device. As such, in one embodiment of the present invention, the telephony switch can determine whether the called party has multimedia capabilities by seeing if the called party is supported by SIP. If the called party is supported by SIP, the telephony switch will initiate call processing via the SIP call server, which will facilitate routing of the call via the packet network and the trunk gateways. If the called party is not supported by SIP, the telephony switch will initiate call processing and routing via the PSTN in traditional fashion.

Christie does not set up multimedia sessions in the same manner claimed by the present invention. In particular, Christie does not disclose the step of determining if the first telephony device is associated with a first multimedia client as claimed in claims 1, 15, and 27. Christie also does not disclose the further step of determining if the second telephony device is supported by the first service node and then routing the call signaling for the voice call to a first call server if the second telephony device is not supported by the first service node, as required by amended claims 1 and 27. Likewise, Christie does not teach determining if the second telephony device is supported by the same service node supporting the first telephony device and if so, then sending the telephone numbers for the first and second telephony devices from the switch to the service

node, which will provide a first address associated with a first multimedia client based on the first telephone number and a second address for a second multimedia client based on the second telephone number, as required by claim 15. In a similar fashion, Christie does not teach the step of determining if the second telephony device is supported by the first service node and if not, then sending a second service node the first address and the second telephone number, identifying a second address associated with the second multimedia client at the second service node based on the second telephone number, and sending the first address to the second multimedia client using the second address, as required by claim 18. Since Christie does not teach each and every limitation of amended claims 1, 15, 18, and 27, Christie cannot anticipate these claims.

Claims 4 and 6-14 depend from claim 1, contain all of the limitations of claim 1, and further define the invention. Accordingly, claims 4 and 6-14 are patentable for at least the same reasons as claim 1.

Claims 16 and 17 depend from claim 15, contain all of the limitations of claim 15, and further define the invention. Accordingly, claims 16 and 17 are patentable for at least the same reasons as claim 15.

Claims 19-25 depend from claim 18, contain all of the limitations of claim 18, and further define the invention. Accordingly, claims 19-25 are patentable for at least the same reasons as claim 18.

Claims 30, 32, and 33 depend from claim 27, contain all of the limitations of claim 27, and further define the invention. Accordingly, claims 30, 32, and 33 are patentable for at least the same reasons as claim 1.

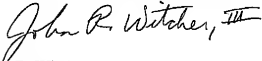
Claims 34-37 depend from claims 1, 8, 23, and 27, respectively. Thus, these claims are patentable for the same reasons set forth above with respect to those claims. Moreover, Christie does not disclose that the call servers of claims 1, 8, 23, and 27 are SIP call servers, as recited in new claims 34-37. Therefore, claims 34-37 are separately patentable for this additional reason.

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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By:

A handwritten signature in black ink that reads "John R. Witcher, III". The signature is written in a cursive style with a horizontal line at the end.

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